
Joint Public Notice



**US Army Corps
of Engineers**
Louisville District ®

Public Notice No.

LRL-2016-257-sam

Open Date:

20 Sep 2016

Close Date:

20 Oct 2016

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District

ATTN: Mr. Scott Matthews, CELRL-OPF-N, Rm 752

8902 Otis Avenue, Suite S106B

Indianapolis, IN 46216

Phone: 317-543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA) and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

APPLICANT: J.W. Jones Company, LLC
PO Box 64
Paragon, IN 46166

AGENT: VET Environmental Engineering, LLC
341 West Sample Road
Bloomington, IN 47404

LOCATION: Unnamed tributaries to Limestone Creek and
adjacent wetlands west of 4000 State Highway 67,
in Gosport, Owen County, Indiana

Latitude: 39.35034
Longitude: -86.70774
7.5 Minute Quad: Gosport, IN

PURPOSE: To perform logging activities and to construct a
limestone quarry.

DESCRIPTION OF WORK: The applicant requests an after-the-fact permit for logging operations and mining for the development of a new crushed stone quarry. The unauthorized activities were confirmed during a site visit on March 9, 2016.

Logging operations: Fill material in the form of trees and debris from logging activities impacted 486 linear feet of an unnamed perennial tributary of Limestone Creek, and 658 linear feet of 11 ephemeral tributaries of Limestone Creek.

Dredging, grading and mining activities: An additional 1,166 linear feet of an unnamed perennial tributary, 1,782 linear feet of 11 unnamed ephemeral tributaries of Limestone Creek, and 0.17 acre of two palustrine forested wetlands were impacted by these activities.

Proposed new quarry: The applicant also requests to develop an 8.9-acre crushed stone quarry that would result in impacting an additional 269 linear feet of 2 ephemeral streams and 0.04 acre of palustrine forested wetland.

Phase I of the quarry development would involve mining a 1.1-acre excavation site and the construction of a 43,567 square foot plant, with a 55,716 square foot product storage yard, a weighing station, 5,820 feet of access road, and associated infrastructure. The proposed work would require the discharge of approximately 30 cubic yards of fill material into jurisdictional waters. Phase II of the development would involve mining a 5.0-acre excavation site.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant has removed the trees and debris from the unnamed perennial tributary and the 11 unnamed ephemeral tributaries. The applicant proposes to mitigate for stream impacts through the restoration of 1,166 linear feet of the unnamed perennial tributary, which would include the reconstruction of 602 linear feet of the restored perennial stream. In addition, the applicant proposes to mitigate for wetland impacts through onsite restoration of 0.21 acre of palustrine forested wetlands.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice serves as the notice for a Clean Water Act Section 401 application for water quality certification from the IDEM. IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this

application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency (USEPA), under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible

Operations Division
Regulatory Branch (North)
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resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. Scott Matthews, CELRL-OPF-N at the address noted above and should refer to the Public Notice Number LRL-2016-257-sam.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2016-257-sam.

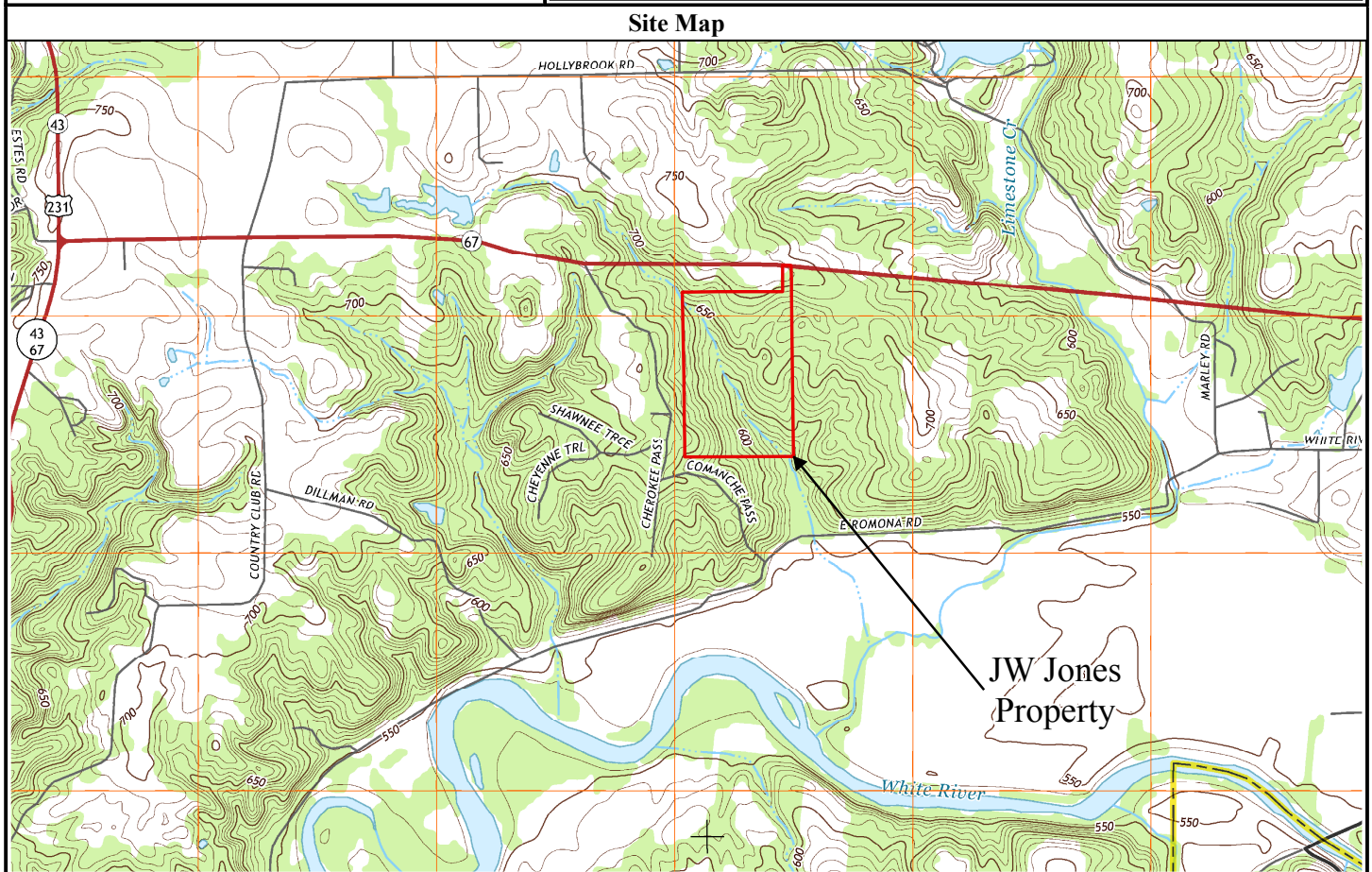
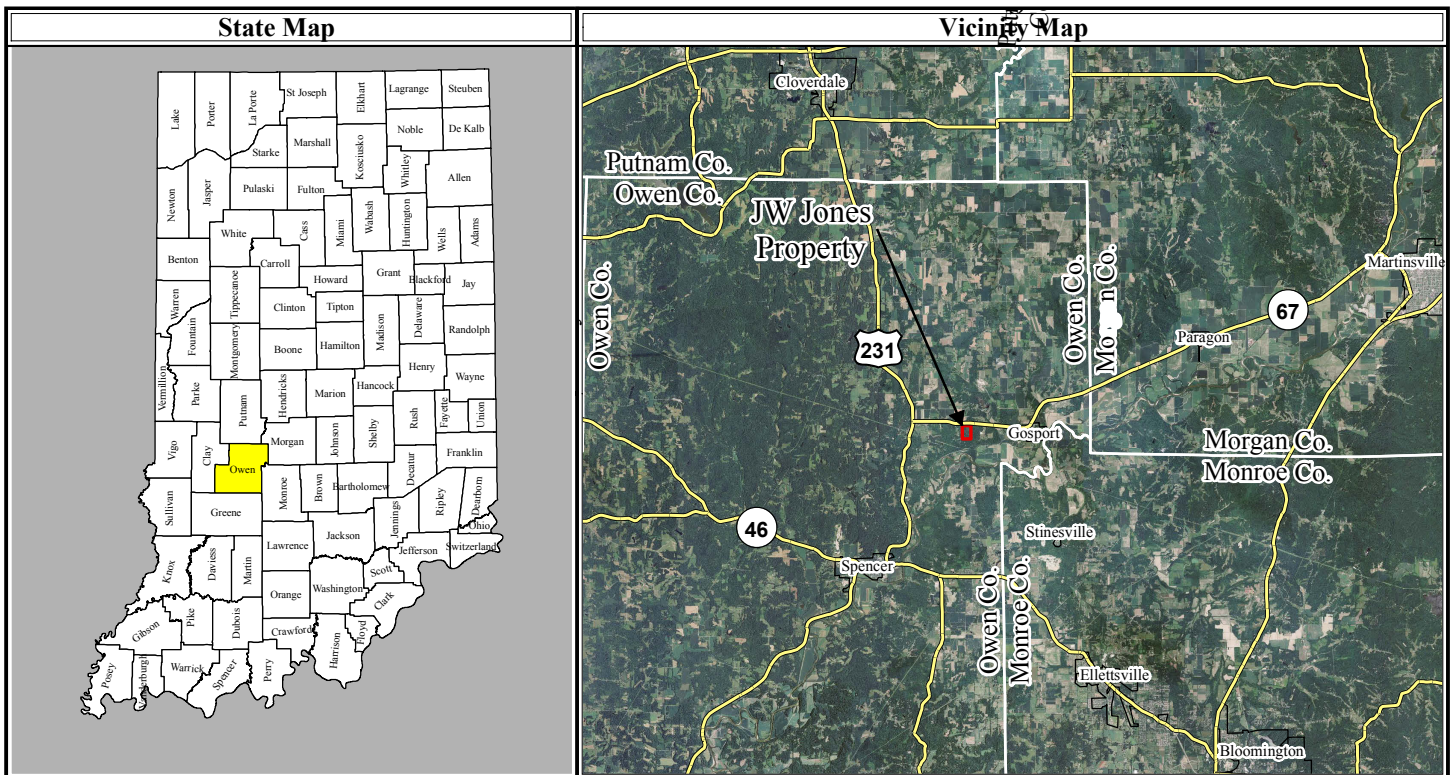
Example:

Subject: LRL-2016-257-sam

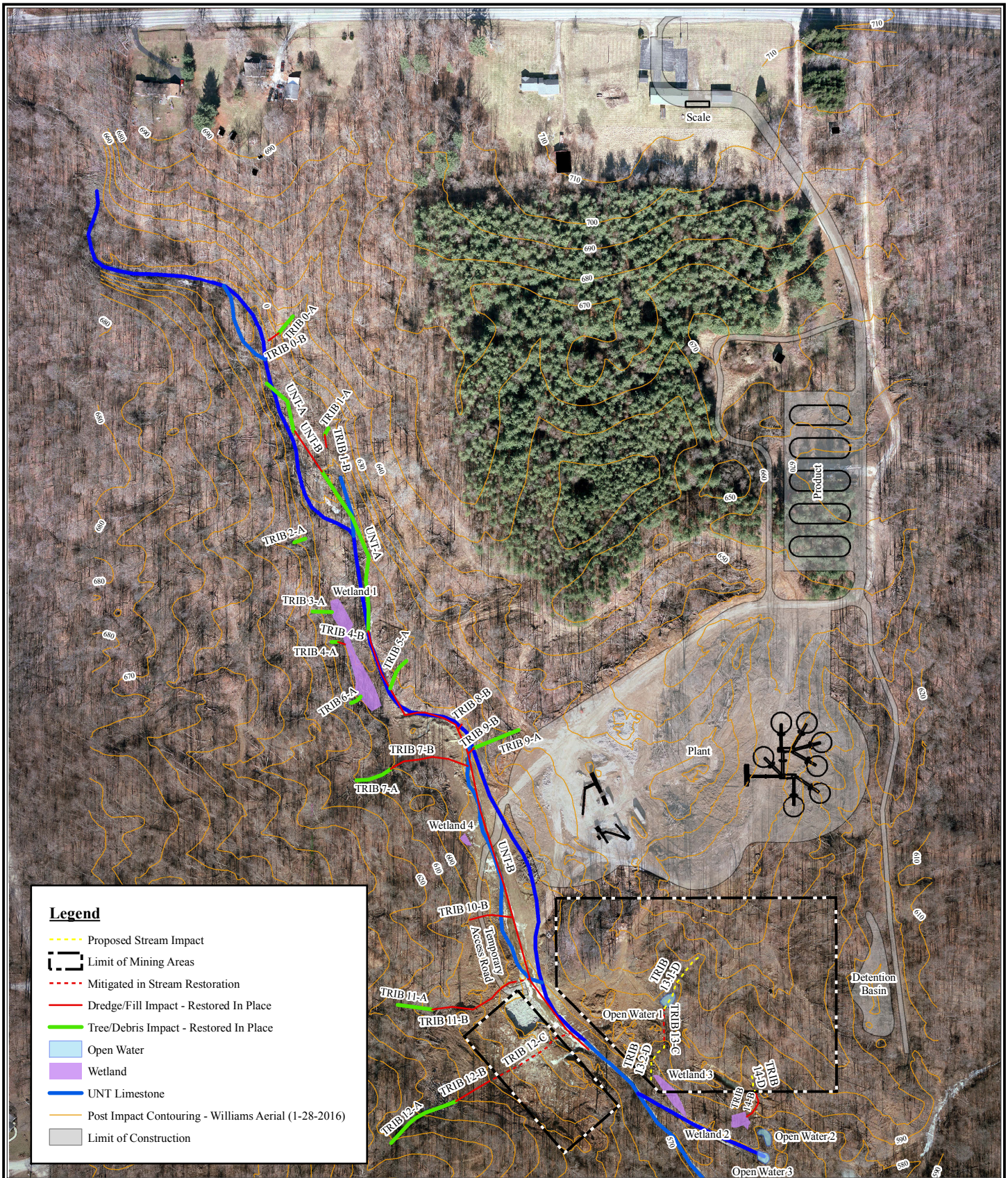
b) Provide your physical mailing address and telephone number.

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



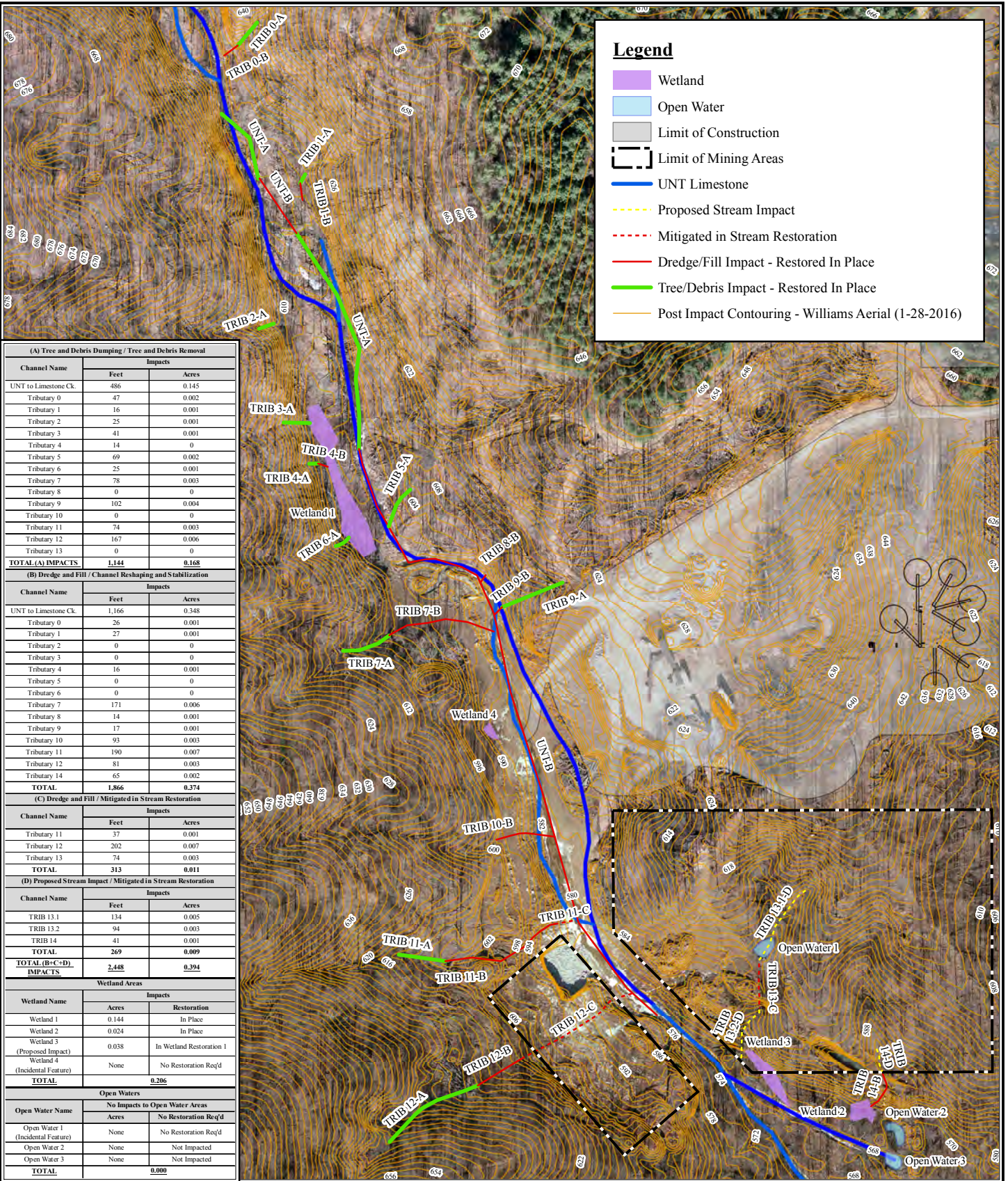
	VET Environmental Engineering, LLC 341 West Sample Road Bloomington, IN 47404 Phone: (812) 327-2838 www.vet-env.com		 1" = 2,500'	Project: JW Jones, Gosport Quarry
	Title: Area Map		Location: Owen County 4000 State Highway 67, Gosport, Indiana	VET Project No.: 15-40
Data Sources: 2013 USGS Gosport Topo, 2014 NAIP Imagery		USACE ID No.: LRL-2016-257-NCC		
		Date: 6/24/2016		
		Exhibit: 1 of 4 Drawn By: RST		



Legend

- Proposed Stream Impact
- Limit of Mining Areas
- Mitigated in Stream Restoration
- Dredge/Fill Impact - Restored In Place
- Tree/Debris Impact - Restored In Place
- Open Water
- Wetland
- UNT Limestone
- Post Impact Contouring - Williams Aerial (1-28-2016)
- Limit of Construction

 VET Environmental Engineering, LLC 341 West Sample Road Bloomington, IN 47404 Phone: (812) 327-2838 www.vet-env.com		 1" = 281' 	Project: JW Jones, Gosport Quarry VET Project No.: 15-40 USACE ID No.: LRL-2016-257-NCC Date: 8/19/2016 Exhibit: 2 of 4 Drawn By: RST	
Title: Site Development Plan	Location: Owen County 4000 State Highway 67, Gosport, Indiana		Data Sources: BRCJ, 2016 Williams Aerial & Mapping Imagery, 2011-2012 IGS Hillshade	



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1" = 208'

0 30 60 90 120 Feet

Title:

Impact Summary/Existing Condition
(Replaces Figure 8 Impact Summary)

Location:

Owen County
4000 State Highway 67, Gosport, Indiana

Data Sources:

BRCJ, 2016 Williams Aerial & Mapping Imagery, 2011-2012 IGS Hillshade

Project:

JW Jones, Gosport Quarry

VET Project No.:

15-40

USACE ID No.:

LRL-2016-257-NCC

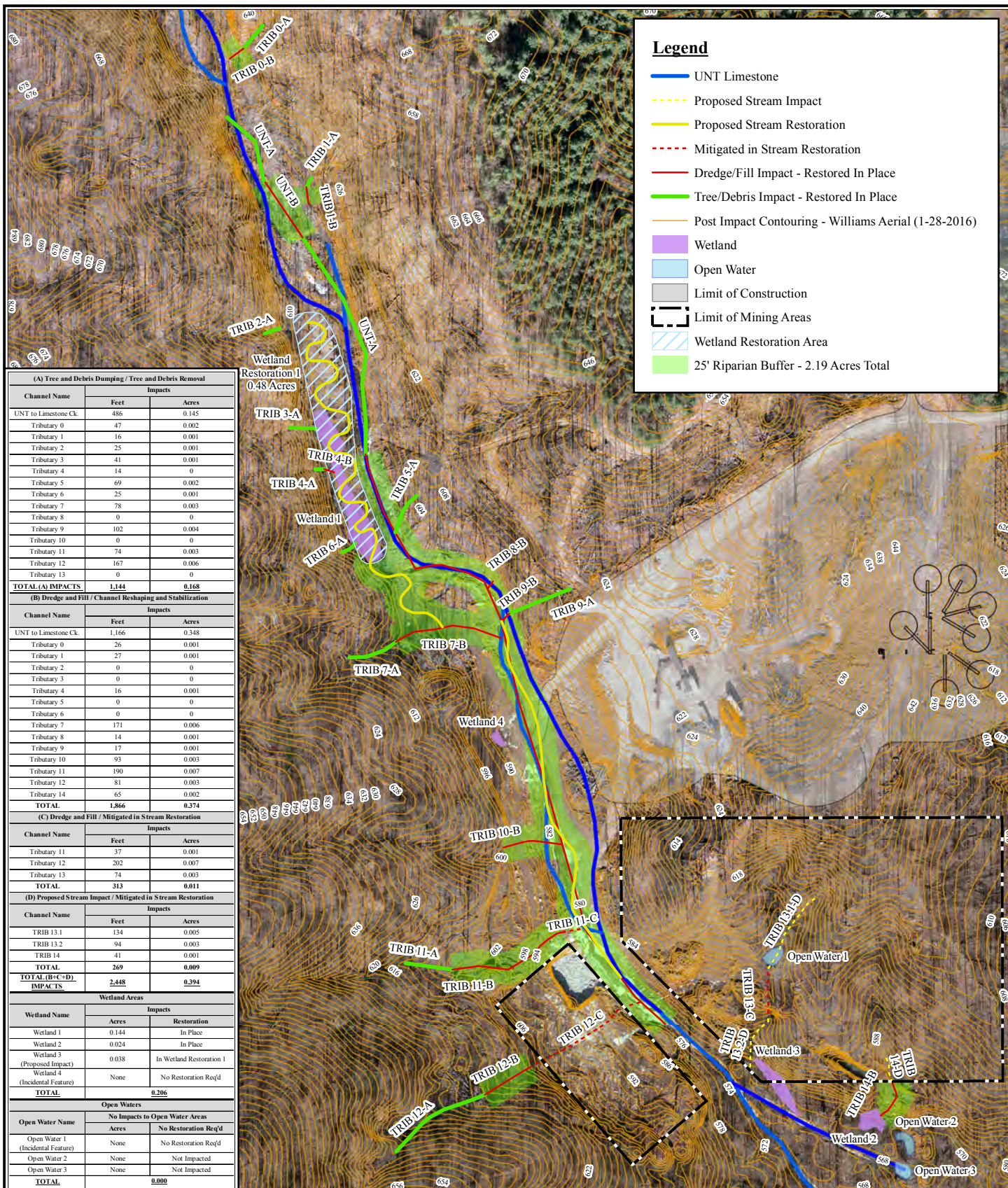
Date:

9/8/2016

Exhibit:

3 of 4

Drawn By: RST



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1" = 208'

0 40 80 120 160 Feet

Project: JW Jones, Gosport Quarry

VET Project No.: 15-40

USACE ID No.: LRL-2016-257-NCC

Date: 9/8/2016

Exhibit: 4 of 4 **Drawn By:** RST

Title: Restoration Plan
(Replaces Figure 9 Restoration Plan)

Location: Owen County
4000 State Highway 67, Gosport, Indiana

Data Sources: BRCJ, 2016 Williams Aerial & Mapping Imagery, 2011-2012 IGS Hillshade